

# HB0004



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0004

Introduced 1/19/2007, by Rep. Dan Brady

#### SYNOPSIS AS INTRODUCED:

70 ILCS 5/3.1

from Ch. 15 1/2, par. 68.3a

Amends the Airport Authorities Act. Provides that, for an airport authority containing 2 or more municipalities with a population of 5,000 or more that (i) is not located wholly within the corporate limits of the municipalities, and (ii) does not have physical facilities located wholly within a single county with a population between 600,000 and 3,000,000, 2 commissioners (instead of 1) shall be appointed by each municipality and 3 commissioners shall be appointed at large. Effective immediately.

LRB095 03797 HLH 23827 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Airport Authorities Act is amended by  
5 changing Section 3.1 as follows:

6 (70 ILCS 5/3.1) (from Ch. 15 1/2, par. 68.3a)

7 Sec. 3.1. Boards of commissioners - Appointment. The Boards  
8 of Commissioners of Authorities shall be appointed as follows:

9 (1) In case there are one or more municipalities having a  
10 population of 5,000 or more within the Authority, the  
11 commissioners shall be appointed as follows:

12 (a) Where there is only one such municipality, 3  
13 commissioners shall be appointed from such municipality,  
14 and 2 commissioners shall be appointed at large.

15 (b) Where there are 2 or more such municipalities, 2  
16 commissioners ~~one commissioner~~ shall be appointed from  
17 each such municipality and 3 commissioners shall be  
18 appointed at large; except that when the physical  
19 facilities of the airport of the Authority are located  
20 wholly within a single county with a population between  
21 600,000 and 3,000,000 there shall be one commissioner  
22 appointed from each municipality within the corporate  
23 limits of the Authority having 5,000 or more population and

1           5 commissioners appointed at large. If the Authority is  
2           located wholly within the corporate limits of such  
3           municipalities, 2 commissioners shall be appointed from  
4           the one of such municipalities having the largest  
5           population, and one commissioner shall be appointed from  
6           each of the other such municipalities, and 2 commissioners  
7           shall be appointed at large.

8           (c) Commissioners representing the area within an  
9           Authority located outside of any municipality having 5,000  
10          or more population and commissioners appointed at large  
11          when the authority is wholly contained within a single  
12          county shall be appointed by the presiding officer of the  
13          county board with the advice and consent of the county  
14          board, and when the physical facilities of the airport of  
15          the Authority are located wholly within a single county  
16          with a population between 600,000 and 3,000,000 the  
17          commissioners appointed at large shall be appointed by the  
18          chairman of the county board of such county, and any  
19          commissioner representing the area within any such  
20          municipality shall be appointed by its mayor or the  
21          presiding officer of its governing body. If however the  
22          district is located in more than one county other than a  
23          county with a population between 600,000 and 3,000,000, the  
24          members of the General Assembly whose legislative  
25          districts encompass any portion of the Authority shall  
26          appoint the commissioners representing the area within an

1 Authority located outside of any municipality having 5,000  
2 or more population and commissioners at large but any  
3 commissioner representing the area within any such  
4 municipality shall be appointed by its mayor or the  
5 presiding officer of its governing body.

6 (d) A commissioner representing the area within any  
7 such municipality shall reside within its corporate  
8 limits. A commissioner appointed at large may reside either  
9 within or without any such municipality but must reside  
10 within the territory of the authority. Should any  
11 commissioner cease to reside within that part of the  
12 territory he represents, or should the territory in which  
13 he resides cease to be a part of the authority, then his  
14 office shall be deemed vacated, and shall be filled by  
15 appointment for the remainder of the term as hereinafter  
16 provided.

17 (2) In case there are no municipalities having a population  
18 of 5,000 or more within such authority located wholly within a  
19 single county, such order shall so find, and in such case the  
20 Board shall consist of 5 commissioners who shall be appointed  
21 at large by the presiding officer of the county board with the  
22 advice and consent of the county board. If however the district  
23 is located in more than one county, the members of the General  
24 Assembly whose legislative districts encompass any portion of  
25 the Authority shall appoint the commissioners at large.

26 (3) Should a municipality which is wholly within an

1 authority attain, or should such a municipality be established,  
2 having a population of 5,000 or more after the entry of said  
3 order by the circuit court, the presiding officer of such  
4 municipality may petition the circuit court for an order  
5 finding and determining the population of such municipality  
6 and, if it is found and determined upon the hearing of said  
7 petition that the population of such municipality is 5,000 or  
8 more, the board of commissioners of such authority as  
9 previously established shall be increased by one commissioner  
10 who shall reside within the corporate limits of such  
11 municipality and shall be appointed by its presiding officer.  
12 The initial commissioner so appointed shall serve for a term of  
13 1, 2, 3, 4 or 5 years, as may be determined by lot, and his  
14 successors shall be similarly appointed and shall serve for  
15 terms of 5 years. All provisions of this section applicable to  
16 commissioners representing municipal areas shall apply to any  
17 such commissioner. Each such commissioner shall reside within  
18 the authority and shall continue to reside therein.

19 (4) Notwithstanding any other provision of this Section,  
20 the Board of Commissioners of a Metropolitan Airport Authority  
21 shall consist of 9 commissioners.

22 Seven commissioners shall be residents of the county with a  
23 population between 600,000 and 3,000,000 within which the  
24 Metropolitan Airport Authority was established. These  
25 commissioners shall be appointed by the county board chairman  
26 of the county with a population between 600,000 and 3,000,000

1 within which the Metropolitan Airport Authority was  
2 established, with the advice and consent of the county board of  
3 that county.

4 Two commissioners shall be residents of the territory of  
5 the Authority located outside the county with a population  
6 between 600,000 and 3,000,000. These commissioners shall be  
7 appointed jointly by the mayors of the municipalities having a  
8 population over 5,000 that are located outside the county with  
9 a population between 600,000 and 3,000,000, with the advice and  
10 consent of the governing bodies of those municipalities.

11 The transition from the pre-existing composition of the  
12 Metropolitan Airport Authority Board of Commissioners to the  
13 composition specified in this amendatory Act of 1991 shall be  
14 accomplished as follows:

15 (A) The appointee who was required to be a resident of  
16 the area outside of the county with a population between  
17 600,000 and 3,000,000 may serve until his or her term  
18 expires. The replacement shall be one of the 2 appointees  
19 who shall be residents of the territory of the Authority  
20 located outside the county with a population between  
21 600,000 and 3,000,000.

22 (B) The other 8 commissioners may serve until their  
23 terms expire. Upon the occurrence of the second vacancy  
24 among these 8 commissioners after the effective date of  
25 this amendatory Act of 1991, the replacement shall be the  
26 second of the 2 appointees who shall be residents of the

1           territory of the Authority located outside of the county  
2           with a population between 600,000 and 3,000,000. Upon the  
3           expiration of the terms of the other 7 commissioners, the  
4           replacements shall be residents of the county with a  
5           population between 600,000 and 3,000,000.

6           (C) All commissioners appointed after the effective  
7           date of this amendatory Act of 1991, and their successors,  
8           shall be appointed in the manner set forth in this  
9           amendatory Act of 1991.

10          (Source: P.A. 94-466, eff. 1-1-06.)

11          Section 99. Effective date. This Act takes effect upon  
12          becoming law.